

## **Education Overview and Scrutiny Committee**

### **Children Missing Education and Elective Home Education**

**Wards** All

**Service:** Access Service

**Portfolio:** Councillor Kaur, Education and Skills

#### **1. Aim**

The aim of this report provides an update of on how Walsall continues to meet its statutory responsibility in regard to:

- Children Missing Education (CME)
- Elective Home Education (EHE)

#### **2. Recommendations**

That the Education Overview and Scrutiny Committee considers the contents of this report and decides whether there should be further information or updates

#### **3. Report detail**

##### **3.1 Children Missing Education (CME)**

Children are classed as 'Children Missing Education' if they are compulsory school age and not registered at a school and are not receiving suitable education otherwise than at a school. Children are of compulsory school age from the start of the first school term after their fifth birthday until the last Friday in the June of the academic year in which they turn 16 years of age.

Children Missing Education (CME) are distinct from Children Missing from Education (CMfE). This term is used to refer to children who are on roll at a school but not attending regularly or full time.

Children missing education are at significant risk of underachieving, being victims of harm, exploitation, or radicalisation, and becoming part of the NEET cohort (not in education, employment or training) once these cease to be compulsory school age.

Effective information sharing between parents, schools, local authorities, and other agencies is critical to ensuring that all children of compulsory school age are safe and receiving suitable education.

Local Authorities have a legal duty under section 436A of the Education Act 1996 to decide to identify children missing education. Local Authorities should consult the parents or carers of a child when trying to establish whether a child is in receipt of a suitable education. Those children identified as not receiving suitable education should be returned to full time education either at a school or in alternative provision.

A child can become open to Walsall Local Authority as a child missing education (CME) for a variety of reasons. These can include Children and Young People who:

- move to Walsall from a different local authority area or from outside the UK and are unable to secure a school place that is within a reasonable distance of their new home address via either primary or secondary mid-year process.

- fail to take up the school place that is offered to them via the phased admissions process, the mid-year admissions process or Walsall's Fair Access Process.
- are removed from a school roll after a long period of unexplained absence, or after failing to return from an extended or unauthorised holiday.
- have previously been open to the local authority as being electively home educated (EHE) but are deemed by the local authority not to be in 'receipt of a satisfactory education.'
- who are Walsall residents and have who have been permanently excluded from school. In these circumstances, the local authority will open these children and young people as missing education whilst ensuring that appropriate six-day provision is secured for pending the outcome of the governing body hearing process and decision.
- have an Education, Health, and Care Plan (EHCP) and for whom the local authority is unable to secure a permanent education provision that can meet their special educational needs. In these circumstances, the local authority will put in place temporary tuition, but the child will still be opened as child missing education until suitable permanent education provision can be secured via the EHCP consultation process.

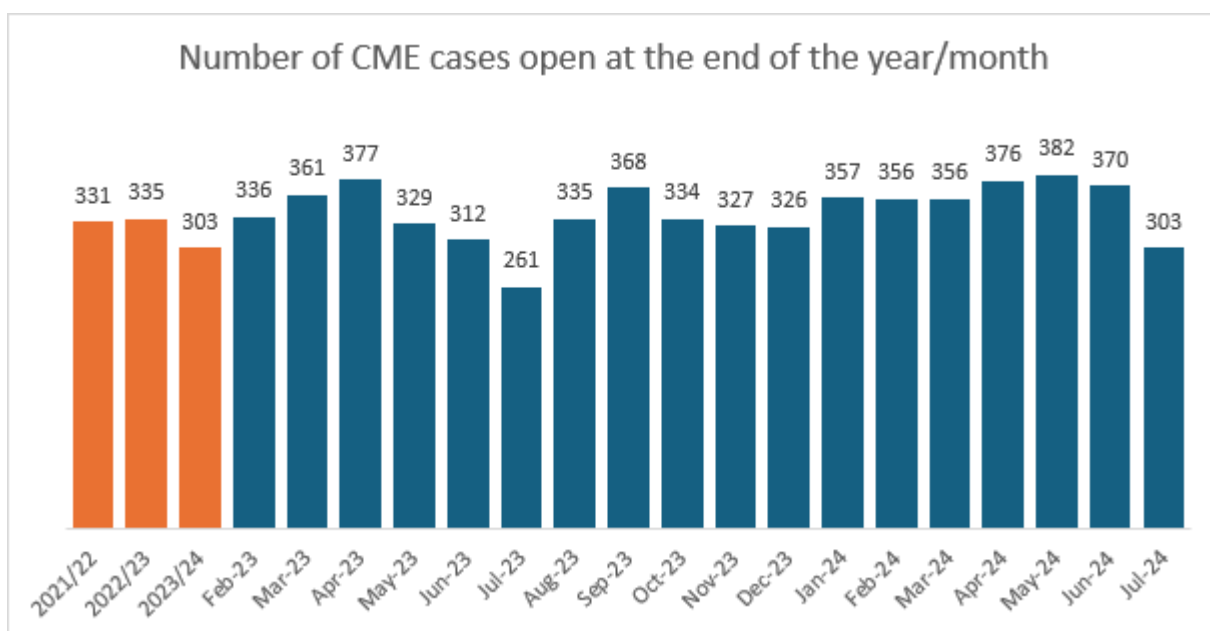
### **3.2 Walsall Children Missing Education Process**

When a child is opened to CME, they are allocated a caseworker and become subject to the local authority's monitoring procedures, working closely with the school admissions team an offer where possible will be made through the midyear admission process. Failing a place being able to be offered through the midyear admissions process the child will be taken the ether the Primary or Secondary Fair Access Protocol. If a child does not taken up an allocated school place then the CME team will establish the reasons for this.

- If a school is refusing to admit a child, then then the matter will be escalated in accordance with the Department for Education's direction to admit process.
- If a parent is refusing to take up the offer of a school place, then the matter will be escalated via the school attendance order process.
- Any child that is open to Walsall CME must be seen by a relevant lead professional on a regular basis or the CME team will commission the education welfare service to undertake a home visit every 20 days or more regularly if deemed appropriate.

Walsall currently have 303 children open to CME as per the month of July 2024, this is the lowest the Children Missing Education numbers have been since July 2023.

During the summer period, the figure may increase as whilst parent/careers can still submit midyear admission applications they cannot be processed until the schools return following the summer break.



The majority of the cases that are open to children missing education are for children who are New to the UK or moved from another borough cases. All children that arrive in Walsall as New to the UK are immediately open to CME.

There are 134 children open to CME that have been offered a school place through midyear admissions or Fair Access panel that have been offered school places and we are awaiting confirmation of them going on roll at their allocated school.

There are 100 children open to CME that are in the process School Attendance Order process as due to parental engagement they are not taking up a school place that has been allocated to them.

The last Ofsted Inspections of Walsall local authority children's services and SEN reports noted:

*An inclusion policy and enhanced tracking and monitoring of vulnerable pupils' attendance are now in place. Leaders know where children are and provide comprehensive support if they are not in school.*

*The children missing education (CME) team ensure regular multi-disciplinary oversight of those pupils who are not attending an educational setting. For example, professionals within the speech and language therapy team help families accurately understand pupils' needs so appropriate provisions can be identified. Regular meetings with senior officers in the local partnership keep the profile of these children and young people with SEND high.*

### **3.3 Elective Home Education (EHE)**

Elective Home Education (EHE) is the term that is used to describe a choice by parents to provide education for their children at home or in some other way they desire, instead of sending them to school full time. There is only a voluntary register for EHE. If a child has never attended school parents have no legal obligation to notify the local authority or to seek consent if they intend to home educate their child. If a child is withdrawn from school for EHE the school has an obligation to notify the local authority.

The local authority has a statutory duty (under s.436A of the Education Act) to make arrangements to enable it to establish the identities, so far as it is possible to do so, of

children in its area who are not receiving a suitable education. We do this by working closely with various partners including: parents, school admissions (including children missing education and pupil tracking teams), Special educational needs service, Attendance service, Data matching Team, local schools & colleges, School health, Early help, educational psychologists, social workers, and other neighbouring authorities.

The EHE service is responsible for identifying and recording compulsory school aged children who are home educated. The service also makes enquiries as to whether that education satisfies legal requirements. If it is deemed that the educational provision at home is unsuitable, we also have rigorous processes to return the child/young person to school.

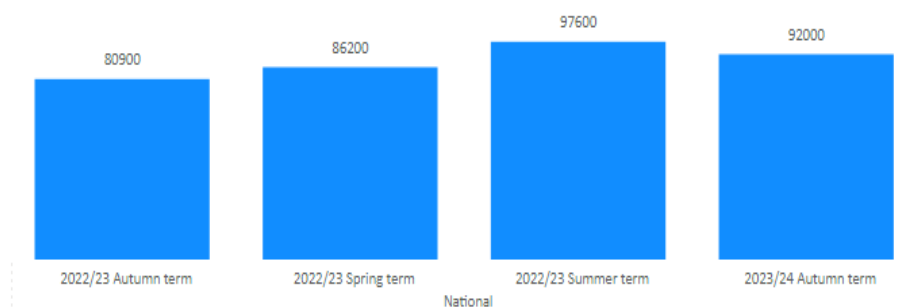
The last Ofsted Inspection of Walsall local authority children's services report noted *'There is robust oversight of children who are electively home educated (EHE). There is strong partnership working with schools through a new EHE policy and positive relationships with families.'*

### 3.4 Elective Home Education (EHE) Data

The Elective Home Education publication provides data reported by local authorities on children in EHE in England. The latest EHE dataset was released by the Department for Education (DfE) on 29<sup>th</sup> February 2024. The information below is extracted from their dataset

### 3.5 Total National EHE Registrations

Number of EHE Registrations between 2022/23 Autumn Term and 2023/24 Autumn...



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The above data show the total number of EHE reported by local authorities in England.

The graph shows that in England, over 12 months, EHE enrolments increased by over 11,000 children. It's noteworthy that EHE numbers often drop from the Summer to Autumn term because post-16 learners are no longer of compulsory school age and are therefore closed to EHE.

### 3.6 Termly change in EHE registrations

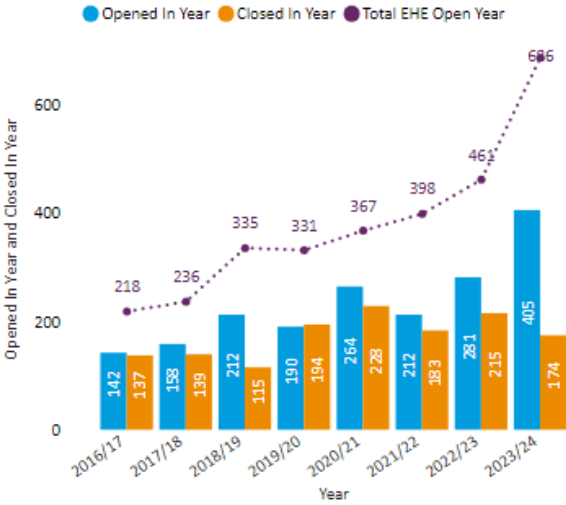
#### EHE Registrations breakdown by % Termly Change

Year & Term	Region	Current Term Registrations	Previous Term Registrations	Change (No.)	Change (%)
2022/23 Summer term	National	97600	86200	11400	13.2
2022/23 Summer term	WM	11130	9990	1140	11.4
2022/23 Summer term	SN	4820	4120	700	17.0
2022/23 Summer term	Walsall	510	440	70	15.9

The table above shows an increase in registrations from the Spring term of 2022/23 to the Summer term of 2022/23 on a nationwide level, within the region of the West Midlands, among statistical counterparts, and for Walsall Council specifically.

### 3.7 Opened and closed EHE registrations

Opened In Year, Closed In Year and ...



The graph depicts the count of children in Walsall who began and concluded their EHE from the academic year 2016/2017 through 2023/24. There has been a consistent increase in the number of children commencing EHE compared to those concluding it across all years, with the exception of 2019/20 when school closures were widespread during the Covid pandemic, leading to a net growth in the EHE population. It is noted that most of the children who finished EHE either rejoined their former schools or were directed to Children Missing Education (CME).

### 3.8 Registration Framework

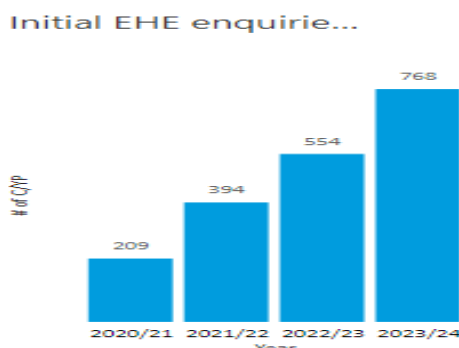
Currently, no definitive legal structure exists for local authorities to systematically oversee home education, nor are parents required to collaborate with any attempts by the authorities to monitor it. Local authorities are responsible for ensuring that children

who might not be receiving an appropriate education are identified as much as possible. Unless a local authority confidently determines that a child being educated at home is getting a suitable full-time education, that child remains within the purview of this responsibility.

While we operate a voluntary Elective Home Education (EHE) register the compilation of the EHE register relies on data provided by parents, educational institutions, other local authorities, Early Help services, School Nursing teams, Social Workers, Health Visitors, School Admissions teams, the Attendance service, and the Special Educational Needs department, among others. We have improved our database to include all siblings of children who are home-educated, allowing us to verify the enrolment status of any siblings not currently listed in a school's register.

The anticipated transition from a voluntary to a statutory register for home-educated children was addressed in the King's July 2024 speech, outlining the 'Children's Wellbeing Bill.' The bill will enforce a legal obligation on local authorities to support families who educate at home and manage a registry of children not in school (CNIS). It will also legally require parents to report when their child isn't attending mainstream schools. Currently, only schools are mandated to inform authorities if a child is deregistered for home education, and while parents often volunteer this information, they are not obliged by law, raising concerns about 'hidden children' who go unnoticed because they've never been registered in a school system.

### 3.9 Early intervention prior to EHE registration



The above data show the number of initial EHE enquiries received by academic year.

Given that Elective Home Education (EHE) can have significant consequences for the child, the EHE service aims to provide parents with advice and support before they make a firm decision to homeschool. Thanks to early intervention strategies, out of 768 initial inquiries about EHE, only 405 children have become EHE. We have developed strong collaborative ties with schools and parents. All schools have consented to participate in Pre EHE discussions, and most parents are open to considering the support offered in schools and by other agencies before committing to EHE.

The pre Elective Home Education (EHE) meetings also serve as an important reminder to parents that by opting for home education, they are taking on the full responsibility for their child's education, as well as their social, emotional, and mental welfare. Moreover, it is highlighted in these sessions that no financial support is provided for EHE, which has contributed to keeping the most vulnerable children within the school system. Additionally, these meetings provide an opportunity to address any school-related issues that might be

influencing the parents' consideration of EHE. The involvement of other professionals beyond the school and EHE officers, such as referrals to Early Help, SENDIAS, and School Nursing, has been integral to securing the best possible result for the child.

### 3.10 EHE closures 1<sup>st</sup> Sep 2023 to 31<sup>st</sup> June 2024

#### Outcome on Closure

Outcome on Closure Primary Reason for EHE Registration	Alternative Provision		Emigrated		Moved - Other Local Authority		No Further Action		No Outcome Recorded		Other		Refer - CME		Refer - Pupil Tracking		Re-integrated now in School		Virtual School		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
DissatisfactionSchool general					2	1.1%			1	0.6%	1	0.6%	15	8.6%			11	6.3%	2	1.1%	32	18.4%
Philosophical or preferential			1	0.6%	3	1.7%	4	2.3%			2	1.1%	12	6.9%			7	4.0%			29	16.7%
Mental health					1	0.6%	1	0.6%	2	1.1%	4	2.3%	12	6.9%			7	4.0%			27	15.5%
Other					3	1.7%			1	0.6%			3	1.7%			8	4.6%			15	8.6%
Lifestyle choice											1	0.6%	6	3.4%			6	3.4%			13	7.5%
DissatisfactionSchool Bullying					1	0.6%	1	0.6%					4	2.3%			6	3.4%			12	6.9%
DissatisfactionSchool SEND					1	0.6%							4	2.3%			5	2.9%			10	5.7%
Parent did not give reason								1	0.6%				5	2.9%			4	2.3%			10	5.7%
Unknown	1	0.6%			2	1.1%			1	0.6%			4	2.3%			2	1.1%			10	5.7%
Did not get school preference													3	1.7%			4	2.3%			7	4.0%
Risk of School Exclusion								1	0.6%				1	0.6%	2	1.1%					4	2.3%
Difficulty access school place								2	1.1%				1	0.6%							3	1.7%
Health concerns Covid-19			1	0.6%																	1	0.6%
Physical health													1	0.6%							1	0.6%
<b>Total</b>	<b>1</b>	<b>0.6%</b>	<b>2</b>	<b>1.1%</b>	<b>13</b>	<b>7.5%</b>	<b>6</b>	<b>3.4%</b>	<b>9</b>	<b>5.2%</b>	<b>8</b>	<b>4.6%</b>	<b>71</b>	<b>40.8%</b>	<b>2</b>	<b>1.1%</b>	<b>60</b>	<b>34.5%</b>	<b>2</b>	<b>1.1%</b>	<b>174</b>	<b>100.0%</b>

The above table show the number of EHE closures with reasons.

As indicated in the table, the principal reasons for concluding Elective Home Education (EHE) registrations in the 2023-24 period were 'general dissatisfaction with school' (32), 'philosophical or preferential reasons' (29), and 'mental health concerns' (27). The most frequent outcomes upon termination were 'referral to Children Missing Education (CME)' (71) and 'reintegrated into school' (60). These figures reflect the effectiveness of our EHE monitoring as out of 174 closed cases, most of the children have either resumed formal schooling or are in the process of doing so through the CME pathway.

Due to mental health being a key factor in parents deciding to homeschool, the EHE service now includes a full-time Emotional Literacy Support Officer. This officer provides individual, virtual, and group support for children with emotional or mental health issues. This service aids in their return to school, facilitates connections with school health services, and assists parents in providing appropriate full-time education. Regular sessions by the Emotional Literacy Support Officer also allow for better monitoring of homeschooled children.

#### 4. **Financial information**

There are no direct financial implications of the report.

#### 5. **Reducing Inequalities**

Our aim is to work towards the position where the needs of all young people are addressed in school or alternative provision and parents are only electing to home educate as a positive choice rather than being evoked due to dissatisfaction or conflict with schools

## **6. Decide**

Scrutiny may decide to note the current position.

The Committee may decide to request further information or assurance in respect of the progress of elective home education.

## **7. Respond**

Any recommendations made by the Committee will be assessed against the Access and Inclusion work programme and performance board.

## **8. Review**

All areas are under constant monitoring and assessment via Children's Services Performance Board.

### **Author**

Rob Thomas

Head of Access

☎ 01922 652984

\* [rob.thomas@walsall.gov.uk](mailto:rob.thomas@walsall.gov.uk)

Alex Groom

Admissions & Education Sufficiency Service Manager

☎ 01922 652583

\* [alex.groom@walsall.gov.uk](mailto:alex.groom@walsall.gov.uk)

Manni Uppal

Specialist Officer for Elective Home Education

☎ 01922 652937

\* [manni.uppal@walsall.gov.uk](mailto:manni.uppal@walsall.gov.uk)